

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

KEITH R. COATS,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 3:06-CV-00080-DRB
)	[wo]
JO ANNE B. BARNHART)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER ON MOTION

On July 20, 2006, this court entered a *Final Judgment* remanding this case to the Commissioner of Social Security for further proceedings pursuant to *sentence four* of 42 U.S.C. §405(g). (Docs. 20 and 21). Submitted now is the *Application for Attorney Fee Under the Equal Access to Justice Act*, filed by Plaintiff Keith R. Coats ("Plaintiff") on October 18, 2006, and duly docketed as a *Motion* (Doc. 24).

Plaintiff seeks a total award of \$2,393.75 for attorney's fees to counsel of record, Janet P. Cox. Plaintiff's *Motion* is timely filed, and he is a "prevailing party" within the meaning of 28 U.S.C. §2412(d)(1)(A), in that the court remanded this case for further consideration. The requested \$125.00 hourly rate is reasonable as are the 19.15 hours expended for itemized legal services between December 2, 2005 and October 18, 2006.

The Commissioner reports her agreement with Plaintiff's counsel for "EAJA fees of \$2,300.00." (*Defendant's Response*, Doc. 26, Oct. 26, 2006). After confirming the agreement with Plaintiff's counsel, **the court further finds that the parties have negotiated a fee amount of \$2,300.00 --less than the amount sought in the Plaintiff's *Motion*.**

Accordingly, it is the

ORDER, JUDGMENT, and DECREE of this court that Plaintiff's *Motion* (Doc. 24) is
is **GRANTED** to the extent of the agreed-upon amount— **\$2,300.00**— for payment to Plaintiff's
counsel.

DONE this 27th day of October, 2006.

/s/ Delores R. Boyd
DELORES R. BOYD
UNITED STATES MAGISTRATE JUDGE